

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Rami Talleh, Senior Planner  
**DATE:** December 17, 2008

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2008-045 (FIVE POINTS CENTER PARKING REDUCTION)**

**LOCATION:** 18541-18631 Beach Boulevard (south east corner of Beach Boulevard and Main Street)

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**Applicant:** John Bates, 2301 Dupont Drive, Suite 140, Irvine, CA 92612

**Property Owner:** Beach Center Partners, LLC, 2301 Dupont Drive, Irvine, CA 92612

**Request:** To permit a parking reduction of 21 parking spaces to allow for the establishment of a 4,200 sq. ft. restaurant within an existing commercial shopping center.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**Zone:** CG (Commercial General)

**General Plan:** CG-F2-d (Commercial General – 0.05 Max. Floor Area Ratio – Design Overlay)

**Existing Use:** Vacant Suite/Commercial Shopping Center

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project involves minor alterations consisting of tenant improvements to an existing commercial shopping center.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-045:**

1. Conditional Use Permit No. 2008-0485 to permit a parking reduction of 21 parking spaces to allow for the establishment of a 4,200 sq. ft. restaurant within an existing commercial shopping center. The parking reduction is based on a parking demand analysis prepared by Linscott, Law & Greenspan, Engineers and Keil D. Maberry, P.E., a state-registered traffic engineer (October 27, 2008). Parking surveys of the site were conducted, resulting in a demand of 180 parking spaces on a weekday and 172 spaces on weekend, leaving a surplus of 50 parking spaces on a typical weekday and 58 parking spaces on a typical weekend. As a result, the parking demand study supports the proposed 21-space reduction in required parking and concludes that adequate on-site parking will be available to accommodate the proposed restaurant uses.
2. The proposed 4,200 sq. ft. restaurant will not generate additional parking demand based on the parking demand analysis prepared by Linscott, Law & Greenspan, Engineers. The study relied on site parking surveys of the existing site and found a demand of 180 parking spaces. A surplus of at 50 spaces is available to provide the required parking of 42 parking spaces for the proposed restaurant use. Based on the above parking rates, the parking demand analysis found that the proposed restaurant use will not create additional parking demand.
3. A Draft Transportation Demand Management plan was prepared by Linscott, Law & Greenspan, Engineers for the existing shopping center. The Plan incorporates transportation demand management measures to mitigate impacts of a 4,200 sq. ft. restaurant. The measures include a transportation alternatives information center, carpool/vanpool parking spaces, bicycle parking, transit information, and information about Orange County Transportation Authority rideshare matching and vanpool subsidies programs. The Plan integrates the transportation demand management strategies required by HBZSO Section 230.36 and has been approved by the Director.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 08-045:**

1. The site plan received and dated October 27, 2008 shall be the conceptually approved design.
2. A final Transportation Demand Management plan shall be submitted to the Planning Department for submittal in the entitlement file.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.